

PATENT APPLICATION
Docket: T4088.NP

DECLARATION CLAIMING SMALL ENTITY STATUS
FOR A NONPROFIT ORGANIZATION

I, Wayne H. Watkins, hereby declare: I am a Director of Utah State University, a university of higher education under the Internal Revenue Code (26 U.S.C. 501(a) and 501(c)(3)), located at 1770 North Research Park Way, Suite 120, North Logan, Utah 94341-1941; that I am empowered to act on behalf of Utah State University; and that Utah State University qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled METHODS FOR PRODUCING APOMICTIC PLANTS, invented by John G. Carman, as described in the patent application filed February 5, 1998.

I further declare that all rights, title, and interest relating to the above-identified invention have been conveyed to and currently remain with Utah State University.

I acknowledge the duty to file, in the above-mentioned application or any patent issued in respect thereof, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of (1) the issue fee or (2) any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:			
COUNTRY (Indicate if PCT)	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
U.S.	60/037,211	February 5, 1997	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/as listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. BENEFIT UNDER 35 U.S.C. 120:				
U.S. APPLICATIONS		STATUS (Check one)		
U.S. Application No.	U.S. Filing Date	Patented	Pending	Abandoned

PCT Applications Designating the U.S.			
PCT Application No.	PCT Filing Date	U.S. Serial Numbers Assigned (if any)	Priority Claimed Under 35 USC § 371

POWER OF ATTORNEY: As named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. The following are names and registration numbers: CALVIN E. THORPE, Registration No. 24,928; VAUGHN W. NORTH, Registration No. 27,930; M. WAYNE WESTERN, Registration No. 22,788; GRANT R. CLAYTON Registration No. 32,462; ALAN J. HOWARTH, Registration No. 36,553; KARL R. CANNON, Registration No. 36,468; RANDALL B. BATEMAN, Registration No. 37,774; DAVID W. O'BRYANT, Registration No. 39,793, and FRANK W. COMPAGNI, Registration No. P-40,567.

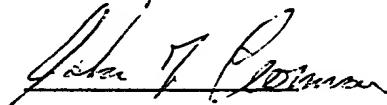
Send Correspondence and telephonic communications to:

Alan J. Howarth
THORPE, NORTH & WESTERN, L.L.P.
P.O. Box 1219
Sandy, Utah 84091-1219

Full Name of Inventor #1:	FAMILY NAME Carman	FIRST GIVEN NAME John	SECOND GIVEN NAME G.
Residence & Citizenship:	CITY Smithfield	STATE OR FOREIGN COUNTRY Utah	COUNTRY OF CITIZENSHIP: U.S.A.
Post Office Address:	POST OFFICE ADDRESS 396 South 455 East	CITY Smithfield	STATE AND ZIP CODE: Utah 84335

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of Inventor: John G. Carman

Signature: 

Date: March 2, 1998

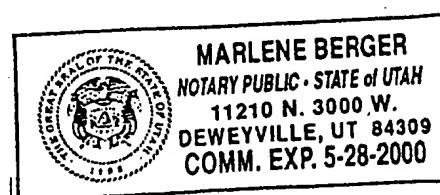
T4088BOP-DeclPOW.205

Subscribed to and sworn before me this 2nd day of March, 1998
State of Utah, County of Cache


Notary Public

My commission expires:

5/28/2000



EXPRESS MAILING LABEL NO. @

PATENT APPLICATION

Combined DECLARATION for Patent Application
and
POWER OF ATTORNEY
(Includes reference to PCT International Applications)

Attorney: Alan J. Howarth

Docket No. T4088.BOP

As below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHODS FOR PRODUCING APOMICTIC PLANTS** the specification of which (check only one item below):

is attached hereto.

was filed as United States application

Serial No. 09/018,875 on February 5, 1998 and was amended on _____ (if applicable).

was filed as PCT international application

Number _____ on February 5, 1998 and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than that United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed at North Logan, Utah, this 15th day of June 1998.

UTAH STATE UNIVERSITY

By: 

Wayne H. Watkins
Director

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